

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELVIN HUNTER BGORN WILLIAMS,

Defendant.

CASE NO. CR21-0099-JCC

ORDER

This matter comes before the Court on Defendant Elvin Hunter Bgorn Williams's unopposed motion to continue trial (Dkt. No. 22). On June 9, 2021, Mr. Williams was indicted for providing material support to a designated foreign terrorist organization. (Dkt. No. 12.) Trial is scheduled for March 7, 2021. (Dkt. No. 21.) Defense counsel seeks additional time to review discovery materials and communicate with Mr. Williams due to delays in discovery production, the complex nature of this case, pandemic-related procedures and lockdowns at the Federal Detention Center, and Mr. Williams's recovery from COVID-19. (Dkt. No. 22 at 2.) Further, the parties are discussing the potential need for litigation under the Classified Information Protection Act. (*Id.* at 3.) As a result, defense counsel asserts that a continuance until October 17, 2022 is necessary for the parties to have adequate time to prepare for trial. (*Id.* at 1–3.) Defense counsel indicates that Mr. Williams will file a speedy trial waiver to this effect. (*Id.* at 3.)

Having thoroughly considered the motion and the relevant record, the Court FINDS that

1 the ends of justice served by granting a continuance outweigh the best interests of Mr. Williams
2 and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

- 3 1. Taking into account the exercise of due diligence, the failure to grant a continuance
4 would deny counsel for Mr. Williams reasonable time necessary for effective
5 preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and would therefore result in a
6 miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i).
- 7 2. This case is sufficiently complex due to the nature of the prosecution and the large
8 volume of discovery materials, that it is unreasonable to expect adequate preparation
9 for trial within the time limits established by the Speedy Trial Act. *See* 18 U.S.C.
10 § 3161(h)(7)(B)(ii).

11 Accordingly, the Court GRANTS the unopposed motion (Dkt. No. 22) and ORDERS:

- 12 1. The March 7, 2022 jury trial is CONTINUED until October 17, 2022.
- 13 2. The January 14, 2022 pretrial motions deadline is CONTINUED until September 2,
14 2022.
- 15 3. The period from the date of this order until October 17, 2022 is an excludable time
16 period under 18 U.S.C. § 3161(h)(7)(A).

17 DATED this 3rd day of February 2022.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE